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Inc., Willy C. Shih, Teresa H. Meng,
Craig H. Barratt, Andrew S. Rappaport, Dan A. Artusi,
Charles E. Harris, Marshall L. Mohr, and Christine King

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOEL KRIEGER, Individually and on Behalf
of All Others Similarly Situated,

Plaintiff,

vs.

ATHEROS COMMUNICATIONS, INC.,
DR. WILLY C. SHIH, DR. TERESA H.
MENG, DR. CRAIG H. BARRATT,
ANDREW S. RAPPAPORT, DAN A.
ARTUSI, CHARLES E. HARRIS,
MARSHALL L. MOHR, CHRISTINE
KING, QUALCOMM INCORPORATED,
AND T MERGER SUB, INC.

Defendants.

No. 5:11-CV-00640-LHK

CLASS ACTION

STIPULATION AND [PROPOSED]
ORDER FOR DISMISSAL OF
ACTION

Judge: Hon. Lucy H. Koh
Date Action Filed: February 10, 2011

1 IT IS HEREBY STIPULATED, by and between plaintiff Joel Krieger (“Plaintiff”)
2 and defendants Atheros Communications, Inc. (“Atheros”), Craig H. Barratt, Willy C. Shih,
3 Andrew S. Rappaport, Daniel A. Artusi, Charles E. Harris, Marshall L. Mohr, Christine
4 King, Teresa H. Meng, Qualcomm Incorporated (“Qualcomm”), and T Merger Sub, Inc.
5 (collectively, “Defendants”), through their respective counsel of record, as follows:

6 WHEREAS, on February 10, 2011, Plaintiff, individually and on behalf of all others
7 similarly situated, filed a Class Action Complaint for Breach of Fiduciary Duty and
8 Individual Claims for Violation Of Sections 14(a) and (e) and 20(a) of the Securities
9 Exchange Act 1934, challenging the proposed acquisition of Atheros by Qualcomm and
10 disclosures relating thereto;

11 WHEREAS, on June 30, 2011, Plaintiff, individually and on behalf of all others
12 similarly situated, filed a First Amended Class Action Complaint for Violations of Sections
13 14(a) and 20(a) of the Securities Exchange Act of 1934;

14 WHEREAS, by order dated December 12, 2011, the Court appointed Plaintiff as the
15 lead plaintiff in this action and approved Plaintiff’s selection of Faruqi & Faruqi, LLP as
16 lead counsel;

17 WHEREAS, by order dated May 29, 2012, the Court granted Defendants’ motions
18 to dismiss the First Amended Complaint, dismissing Plaintiff’s equitable claim for
19 attorneys’ fees and expenses with prejudice, dismissing Plaintiff’s claims under Section
20 14(a) and 20(a) of the Securities Exchange Act without prejudice, and granting leave to
21 Plaintiff to file an amended complaint that addresses the pleading deficiencies identified in
22 the order by June 21, 2012;

23 WHEREAS, after considering the May 29, 2012 order Plaintiff and his counsel have
24 determined not to file an amended complaint;

25 WHEREAS, the parties to this action have determined that dismissal of this action
26 with prejudice is appropriate at this time with each side to bear its own fees and costs.

27 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and
28 between the undersigned counsel, subject to approval of the Court, as follows:

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

THE HONORABLE LUCY H. KOH